

DEC 9 2005

FAX TRANSMISSION**DATE:** December 9, 2005**PTO IDENTIFIER:** Application Number 10/053,353-Conf. #5804
Patent Number**Inventor:** Noubar B. Afeyan et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP
Robert J. Tosti**PHONE:** (617) 517-5584**Attorney Dkt. #:** 62834(52303)**PAGES (Including Cover Sheet):** 4**CONTENTS:** Statement of the Substance of the Interview (2 pages)
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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Application No. (if known): 10/053,353

Attorney Docket No.: 62834(52303)

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Attorney Docket No.: 62834(52303)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Noubar B. Afeyan et al.

Application Serial No. 10/053,353

Confirmation No. 5804

Filed: November 9, 2001

Art Unit: 2129

For: METHOD AND APPARATUS FOR
DYNAMIC, REAL-TIME MARKET
SEGMENTATION

Examiner: Wilbert L. Starks, Jr.

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On December 2, 2005, applicants' undersigned representative, as well as co-inventor Kamal Malek, Ph.D. and Edmund Pitcher, Esq. (a registered patent attorney and an investor in and an advisor to the assignee, Affinova, Inc.), participated in a personal interview with Examiner Starks. The interview involved the above-identified application, but two related applications also were mentioned during the interview. Those two related applications are USSN 11/831,881, and USSN 11/229,020.

Applicants' representatives thank Examiner Starks for his time and attention to this and the related applications, all of which are of critical importance to Affinova, Inc.

During the interview, Dr. Malek presented a PowerPoint slide show that included slides he has used in various presentations in his role as the Chief Technology Officer of Affinnova, Inc. The slides addressed Affinnova's beginnings and progress as a start-up venture. The slides also addressed Affinnova's technology and included information about some of Affinnova's customer projects.

The interview did not involve a discussion of any specific claims, but claimed subject matter generally was central to the discussion during the interview. The interview also did not involve a discussion of any specific prior art, but advantages and capabilities of Affinnova's technology were discussed during the interview.

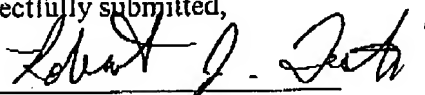
Applicants' representatives did not propose any claim amendments or any other amendments during the interview. Applicants' representatives also did not present any arguments to Examiner Starks, and instead mainly presented slides showing the use of Affinnova's technology and its tie to real-world products and services. During the course of the slide presentation, Examiner Starks raised the §101 non-statutory subject matter rejection in the outstanding action for the above-identified application. Examiner Starks commented at various points during the interview on language in State Street Bank & Trust Co. v. Signature Financial Group Inc., 47 USPQ2d 1596 (CAFC), directed to discrete dollar amounts.

Applicants' representatives again thank Examiner Starks for participating in the interview. Examiner Starks is encouraged to contact applicants' undersigned representative at any time to discuss any aspect of this or any other related application.

Dated: December 9, 2005

Respectfully submitted,

By


Robert J. Tosti, Esq.

Registration No.: 35,393

Attorney for Applicants

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Statement of the Substance of the Interview (December 9, 2005)

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